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Attorneys for Plaintiff,
ROCIO ADAME ALFARO, ET AL.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Rocio Adame Alfaro, individually,)	CASE NO: CV F 02-6527 REC
et al.,)	LJO
)	
Plaintiffs)	
)	STIPULATION OF THE PARTIES
v.)	RE CONTINUANCE OF PRETRIAL
)	CONFERENCE AND TRIAL DATE
)	
National Railroad Passenger)	
Corporation ("Amtrak"), a U.S.)	
Statutory Corporation; Walter)	
Ward; W.M. Dike; Burlington)	
Northern Santa Fe Corporation;)	
County of Kern; City of Shafter;)	
City of Bakersfield and DOES 1)	
Through 100, Inclusive,)	
)	
Defendants.)	
)	
)	

COME NOW THE PARTIES in the above entitled matter and hereby
submit the following:

1. That the Pre-trial Conference in the above-entitled
matter is set for January 24, 2006, at 8:15 a.m. and
that the Trial date is currently set for March 21,
2006, at 10:00 a.m.;

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- 1 2. That Plaintiffs' trial counsel Gregory Moreno has
2 suffered some health issues over the past few months
3 which caused him to have to take time off from his law
4 practice. Said medical leave caused delay in the
5 preparation for trial in several matters scheduled to
6 begin trial prior to this matter as well as trial
7 preparation in this case.
- 8 3. That, further, Plaintiffs' trial counsel Gregory Moreno
9 is scheduled to begin a complex medical malpractice
10 trial on February 6, 2006, in the Redondo Beach
11 Superior Court in the matter of Nelly Molina v. County
12 of Los Angeles, et al., Case number YC043883. Counsel
13 anticipates this trial will last approximately two
14 months. As such, it will not conclude prior the
15 currently scheduled trial date in this matter of March
16 21, 2006. Further, trial counsel will be unable to
17 participate in the preparation for this trial.
- 18 6. That this proposed continuance is unopposed by any
19 counsel, however, counsel for Defendants National
20 Railroad Passenger Corporation (Amtrak) and Burlington
21 Northern Santa Fe Corporation reserves the right to
22 request a stay of proceedings pending Plaintiffs'
23 anticipated appeal of the Court's ruling regarding the
24 Defendant County of Kern's Motion for Summary Judgment.
- 25 7. That given the above request by counsel for the
26 "Railroad Defendants" counsel for Plaintiffs, Gregory
27 Moreno respectfully requests the court stay the
28 proceedings in this matter until such time as he is

1 able to file and have heard a Motion for Certification
2 of the Judgment so as to be able to proceed with an
3 appeal.

4 6. That based on the foregoing, and based on the request
5 for the stay of proceedings, the parties propose the
6 Pre-Trial Conference be continued to June 27, 2006, at
7 8:15 a.m. and the Trial date be continued to August 8,
8 2006, at 10:00 a.m. in Courtroom 1 of the United States
9 Federal Court in Fresno, California.

10 7. Said continuance will not reopen factual discovery,
11 unless by way of separate application to the Court, but
12 will allow discovery that was properly served and/or
13 noticed within the discovery cut-off period and expert
14 discovery as necessary.

15 It is so stipulated.

16 Dated: January 12, 2006 MORENO, BECERRA & CASILLAS

17 By: /S/GREGORY W. MORENO
18 GREGORY W. MORENO
 Attorneys for Plaintiffs

19 Dated: January 12, 2006 LAW OFFICES OF LUIS A. CARRILLO

20 By: /S/ LUIS CARRILLO
21 LUIS A. CARRILLO
 Attorneys for Plaintiffs

22 Dated: January 12, 2006 LOMBARDI, LOPER & CONANT, LLP

23 By: /S/
24 B. CLYDE HUTCHINSON
25 ERIN E. FRY

26 Attorneys for Defendants
27 NATIONAL RAILROAD PASSENGER CORPORATION,
28 THE BURLINGTON NORTHERN and SANTA FE
 RAILWAY COMPANY, WALTER WARD and W.M.
 DIKE

1 Dated: January 13, 2006 LAW OFFICES OF BRIAN OSBORNE

2
3 By: /s/
4 BRIAN OSBORNE
5 Attorneys for Plaintiffs
6 MATEO ROMERO AND ROSA ROMERO

7 Dated: January 13, 2006 LAW OFFICES OF DAVID LYNN

8 By: /s/
9 DAVID LYNN
10 Attorneys for Plaintiffs

11 Dated: January 13, 2006 McNULTY LAW FIRM

12 By: /s/
13 PETER J. McNULTY
14 DANIEL GLAZER
15 Attorneys for Plaintiffs

16 **ORDER**

17 GOOD CAUSE APPEARING and the parties having stipulated, it
18 is hereby ordered that the Pre-Trial Conference is continued to
19 from January 24, 2006 to June 27, 2006, at 8:15 a.m., and the
20 Trial is continued from March 21, 2006, to August 8, 2006, at
21 10:00 a.m.

22 IT IS SO ORDERED.

23 Dated: January 17, 2006
66h44d

/s/ Lawrence J. O'Neill
UNITED STATES MAGISTRATE JUDGE